IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No. 8511 of 1998

For Approval and Signature:

HONOURABLE MR.JUSTICE JAYANT PATEL

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1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

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PATEL MADHAVLAL MAGANLAL - Petitioner(s)
Versus
DIRECTOR OF AGRICULTURAL MARKETING & RURAL FINANCE & 8 - Respondent(s)

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Appearance :

MR PRAKASH K JANI for Petitioner(s) : 1 - 8.
RULE SERVED BY DS for Respondent(s) : 1,
MS VINITA VINAYAK WITH MRS.SANGEETA PAHWA FOR M/S THAKKAR ASSOC. for Respondent(s) : 2,

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CORAM : HONOURABLE MR.JUSTICE JAYANT PATEL

Date : 22/03/2007

ORAL JUDGMENT

1. The present petition is preferred by the

petitioners for appropriate directions to the respondents to quash and set aside the order passed by Respondent No.2 dated 3rd October, 1998 so far as it relates to the petitioners in rejecting the application for renewal of the licence.

2. When the matter is taken up for final hearing, it has been stated by Ms.Vinita Vinayak for Mrs.Pahwa, learned Counsel appearing for respondent Market Committee, that pending the petition, the licence of the petitioners is renewed for subsequent year and upon the regular licence granted to the petitioners by the Market Committee, the petitioners are doing business.

3. Mr.Jani, learned Counsel has no instructions. However, it appears that, in any case, the period for which renewal of the licence has been granted, which is the subject matter of the petition, has expired in the year 1999.

4. Under the above circumstances, the petition has become infructuous by afflux of time. Hence, disposed of accordingly. However, it is clarified that the aforesaid order shall not

prejudice the rights of the petitioners for seeking renewal of the licence as prevailing now or for resorting to appropriate remedy in accordance with law in the event the licence is not renewed or otherwise. Disposed of accordingly. Rule discharged. I.R., if any, stands vacated.

22.3.2007 **(Jayant Patel, J.)**

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